

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:) CHAPTER 7
FRED MILANI,) CASE NO. 15-54748
DEBTOR.)

MOTION FOR EX PARTE ORDER REOPENING CASE TO PURSUE DISCHARGE VIOLATIONS AND OTHER RELIEF AGAINST CREDITORS IN THIS PROCEEDING

COMES NOW Debtor, Fred Milani, by and through their attorney of record, and respectfully move the Court pursuant to Section 350(b) of Title 11 of the United States Code, Rule 9024 of the Rules of Bankruptcy Procedure and Rule 60 of the Federal Rules of Civil Procedure for the entry of an ex parte order to REOPEN this case in order to pursue possible discharge violations against FXM, P.C. and/or Frank X. Moore (hereinafter "FXM").

THE DEBTORS respectfully show unto this court that after this case was discharged and closed, FXM initiated legal proceedings against Debtor regarding a pre-petition debt(s). The actions by FXM impair the Debtor post-discharge, have resulted in actual damages, and deprived the Debtor of the Fresh Start envisioned by the Court's Order of discharge.

THE DEBTOR alleges that it would be in the interest of justice to reopen this case and allow the Debtor to proceed with the legal action described and they so move the Court for such relief and for such additional relief as the Court may deem just and proper. Pursuant to 28 U.S.C. § 1930 a fee to reopen should not be charged to the debtor, since this matter relates to his discharge.

This Thursday, December 07, 2017.

Respectfully submitted,

/s/

Charles M. Clapp, 101089
Attorney for Debtor
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CERTIFICATE OF SERVICE

The undersigned hereby states that I am more than eighteen years of age, and that on this day I served a copy of the within Motion filed in this Bankruptcy Case upon the Trustee electronically and upon the following by depositing a copy of same in the United States Mail with sufficient certified postage thereon to ensure delivery:

M. Denise Dotson, Chapter 7 Trustee
M. Denise Dotson, LLC
170 Mitchell Street
Atlanta, GA 30303

Fred Milani
2267 Echo Trail NE
Atlanta, GA 30345

FXM, P.C.
730 E 2nd Street, Suite 106
Blue Ridge, GA 30513
Atlanta, GA 30338
Attn: Francis X. Moore, Registered Agent

Frank X. Moore
373 Campbell Camp Circle
Blue Ridge, GA 30513

This Thursday, December 07, 2017.

Respectfully submitted,

/s/
Charles M. Clapp, 101089
Attorney for Debtor
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